

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

DEBRA S. KUPCAK,

Plaintiff,

v.

Civil No. 02-1388 WJ/LAM

NEW MEXICO GOVERNOR
GARY JOHNSON, et al.,

Defendants.

MEMORANDUM OPINION AND ORDER DENYING
PLAINTIFF'S MOTION TO SHOW PROOF OF EVIDENCE


THIS MATTER comes before the Court pursuant to Plaintiff's Motion to Show Proof of Evidence [Docket No. 39]. Having reviewed the motion and being advised of the applicable law, I find the motion is not well taken and will be denied.

Plaintiff's Complaint was named as defendants the Internal Revenue Service, the Department of Justice, New Mexico Governor Gary Johnson, the City of Carlsbad, the County of Eddy, the Western Commerce Bank, and the Eddy County Federal Credit Union. The Complaint alleges that the federal defendants unlawfully taxed her, the state governmental defendants assisted the federal defendants and failed to protect Plaintiff, and the banks unlawfully permitted the federal defendants to confiscate her property. By various Orders of this Court, the only remaining defendants in the case are the Internal Revenue Service and the Department of Justice.

Plaintiff's current motion essentially alleges that the State of New Mexico is unlawfully attempting to revoke her law enforcement certification. Plaintiff seeks an Order of this Court that

the parties attempting to revoke her certification show the Court evidence proving the charges upon which the revocation is based. This motion has no relation to the current case, the remaining defendants, and the remaining claim. Under the circumstances, this Court has no jurisdiction to grant Plaintiff the relief requested in her motion.

IT IS THEREFORE ORDERED that Plaintiff's Motion to Show Proof of Evidence [Docket No. 39] is hereby DENIED.


UNITED STATES DISTRICT JUDGE